

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CR-334-3-BO

UNITED STATES OF AMERICA

v.

MARK TONY EVANS

)
)
)
)
)

ORDER

This cause comes before the Court on defendant's motion requesting a judicial recommendation concerning length of residential reentry/halfway house placement. [DE 387]. For the reasons that follow, defendant's motion is denied.

BACKGROUND

Defendant, Evans, is currently serving an aggregate sentence of thirty months' imprisonment following his plea of guilty to conspiracy to commit money laundering and aggravated identity theft. 18 U.S.C. §§ 1028A; 1956(h); [DE 274]. Evans' projected release date is July 30, 2019. *See* <https://www.bop.gov/inmateloc/> (last visited Nov. 26, 2018).

Evans filed the instant motion requesting that the Court make a recommendation that he be placed in a residential reentry center for ten months preceding his projected release date.


DISCUSSION

The Court is without the authority to require the Bureau of Prisons to allow Evans to serve any period of time in a residential reentry center or home confinement, and declines to make a recommendation to the Bureau of Prisons regarding Evans' placement. *See United States v. Shroyer*, No. 2:17CR00003, 2017 WL 4684192, at *1 (W.D. Va. Oct. 18, 2017); *United States v. Squire*, No. CR 3:09-502-JFA, 2012 WL 3848364, at *1 (D.S.C. Sept. 5, 2012); *see also Woodall v. Fed. Bureau of Prisons*, 432 F.3d 235, 251 (3d Cir. 2005).

CONCLUSION

For the foregoing reasons, defendant's motion requesting a judicial recommendation [DE 387] is DENIED.

SO ORDERED, this 27 day of November, 2018.



TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE